

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CHARLES D. WILSON,	) Docket No. 05-122E
Plaintiff	) (Judge Maurice B. Cohill, Jr.)
vs.	)
MOTION CONTROL INDUSTRIES, DIVISION OF CARLISLE CORPORATION, RETIREMENT PLAN FOR BARGAINING UNIT EMPLOYEES OF MOTION CONTROL INDUSTRIES, DIVISION OF CARLISLE CORPORATION,	) ELECTRONICALLY FILED PLEADING
Defendants	) ) DEFENDANTS' PROPOSED ORDER ON ) MOTION FOR SUMMARY JUDGMENT ) ) Filed on behalf of: Defendants ) ) Counsel of record for this party: ) Richard A. Lanzillo, Esq. ) Knox McLaughlin Gornall ) & Sennett, P.C. ) 120 West 10 <sup>th</sup> Street ) Erie, PA 16501 ) Telephone (814) 459-2800 ) Facsimile (814) 453-4530 ) Email rlanzillo@kmgslaw.com ) PA53811

**DEFENDANTS' PROPOSED ORDER ON  
MOTION FOR SUMMARY JUDGMENT**

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 2006, it is hereby ORDERED that  
Defendants' Motion for Summary Judgment is GRANTED, the Court having found that (1)  
Plaintiff has failed to exhaust his administrative remedies under the Plan Documents, and, as an  
additional basis for dismissal, (2) based on the plain language of the Plan Documents Plaintiff is  
not eligible to receive Disability Retirement Benefits. Judgment is hereby entered against  
Plaintiff and in favor of defendants, and the Clerk of Court is directed to mark this case as  
CLOSED.

---

Honorable Maurice B. Cohill, Jr.